

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HP TUNERS, LLC, a Nevada limited liability)
company,

Plaintiff,

vs.

KEVIN SYKES-BONNETT and SYKED)
ECU TUNING INCORPORATED, a)
Washington corporation, and JOHN)
MARTINSON,

Defendants.

CASE NO. 3:17-cv-05760-BHS

**DECLARATION OF ANDREW P.
BLEIMAN, ESQ. IN SUPPORT OF
PLAINTIFF'S PETITION FOR FEES**

I, Andrew P. Bleiman, Esq., hereby declare as follows:

1. I am of legal age, have personal knowledge of the facts provided herein and, if called as a witness, could and would testify competently to those facts.

2. I am a licensed attorney in the State of Illinois and am a member in good standing of the Illinois bar.

3. I have been a licensed attorney in the State of Illinois since 1998.

4. I have been admitted to practice in connection with this matter on a *pro hac vice* basis.

5. I am a partner with the firm of Marks & Klein, LLP.

DECLARATION OF ANDREW P. BLEIMAN, ESQ.
SUBMITTED IN SUPPORT OF PLAINTIFF'S PETITION
FOR FEES - page 1

Heurlin, Potter, Jahn, Leatham & Holtmann, P.S.
211 E. McLoughlin Boulevard, Suite 100
PO Box 611
Vancouver, WA 98666-0611
(360) 750-7547

1 6. I am counsel to HP Tuners, LLC in connection with this matter.

2 7. This Declaration is submitted in support of Plaintiff's Petition for Fees as allowed
3 by this Court in its Order Granting Plaintiff's Motion for Sanctions and Scheduling Fee Petition
4 (Docket No. 155).

5 8. Attached as Exhibit A is a detailing listing of the work performed by Marks &
6 Klein, LLP attorneys in connection with bringing the sanctions motion (Docket No. 124) and
7 responding to Defendants' motion for temporary restraining order (Docket No. 69).

8 9. In addition to the services that I performed, Katherine ("Katie") L. Harris is an
9 attorney with our firm who performed legal services in connection with the preparation of the
10 motion for sanctions.
11

12 10. Exhibit A details the (a) the date work was performed; (b) the lawyer performing
13 such work; (c) a description of the tasks performed; (d) the amount of time spent on such tasks;
14 (e) the hourly rate for the attorney; and (f) the amount of fees associated with and requested for
15 such tasks.

16 11. The hourly rate of \$350.00 per hour for attorney time in connection with this
17 matter is reasonable and customary for complex commercial litigation services of this type.

18 12. The total amount of attorneys' fees incurred by Plaintiff in connection with
19 bringing the sanctions motion (Docket No. 124) and responding to Defendants' motion for
20 temporary restraining order (Docket No. 69) is \$20,125.00, which is comprised of \$6,405.00 of
21 attorneys' fees incurred in connection with responding to Defendants' motion for temporary
22 restraining order and \$13,720.00 in connection with bringing the sanctions motion.

23 13. In accordance with the Court's Order (Docket No. 155), the requested amount
24 herein does *not* include any time spent attending or participating in the hearing on the
25

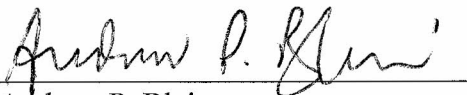
1 Defendants' motion, any time spent in connection with preparing the order in connection with
2 the Defendants' motion or any time spent communicating with opposing counsel in connection
3 with the preparation of the order.

4 14. The amount requested herein also does *not* include the costs incurred in
5 connection with legal research (e.g. Lexis) performed as we were unable to precisely determine
6 the portion of such costs directly attributable to bringing the sanctions motion and responding to
7 Defendants' motion for temporary restraining order. Consequently, these amounts have not been
8 included.
9

10 15. Plaintiff HP Tuners LLC has paid the attorneys' fees incurred in connection with
11 bringing the sanctions motion and responding to Defendants' motion for temporary restraining
12 order in full.

13 I declare under penalty of perjury under the laws of the United States of America the
14 foregoing is true and correct to the best of my knowledge.

15 Executed on March 22, 2019 at Northbrook, Illinois.

16
17 By: 
18 Andrew P. Bleiman

CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2019, I caused the foregoing to be electronically with the Clerk of Court using the **CM/ECF system** which will electronically send Notice to all Counsel of Record.

MARKS & KLEIN

s/ Andrew P. Bleiman

Andrew P. Bleiman (admitted *pro hac vice*)

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Attorney for Plaintiff